

**PRIVATE SECURITY ADVISORY COMMITTEE
MINUTES
MADISON, WISCONSIN
SEPTEMBER 14, 2000**

PRESENT: Mark Kirch, James Martin, Dennis Brewer, Dejustice Coleman, Byron Bishop (arrived at 10:15), Mark Harder, Matt Elliott, Edward Byrne, and James Mankowski

EXCUSED: Shawn Smith, Mark Riesinger

STAFF PRESENT: Clete Hansen, Becky Fry; Secretary Marlene Cummings for portions of the meeting.

GUESTS: Patrick A. Gillette – Special Operations
Gerd Hodermann – Initial Security
Angela Clements - MPI

CALL TO ORDER

The meeting was called to order at 9:35 a.m. by Clete Hansen, Chair, upon confirmation that the public notice was timely given.

Mr. Hansen introduced and welcomed Matt Elliott and Jim Mankowski to the Committee.

AGENDA

The agenda were informally approved.

MINUTES (4/6/00 & 6/6/00)

By consensus the 4/6/00 minutes were approved as written.

There were no objections to the summary of the unofficial meeting of 6/6/00.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Cummings expressed her appreciation for the continued work of the Committee members.

Secretary Cummings expressed the Governor's concern with losing college graduates to other states and suggested careful consideration in enacting administrative rules so individuals are not fenced out.

Bureau Director's Report

- **Roster**

A revised roster was distributed to the Committee. Noted.

- **Meeting Dates**

The next Advisory Committee meeting will be held on November 16, 2000, at 9:30 a.m.

Clete Hansen stated that a permit can not be issued to a private security person or a private detective until the agency that they work for has renewed the agency license. He indicated that this process can hold up mailing out individual licenses.

MOTION: Mark Kirch moved, seconded by Mark Harder, to propose a statutory change to require agency license renewals in odd-numbered years and individual license renewals in even-numbered years. Motion carried unanimously.

UPDATE ON PROPOSED ADMINISTRATIVE RULES

Clete Hansen indicated that the final draft of the proposed administrative rules was not yet available.

EDUCATION AND TRAINING OF PRIVATE SECURITY PERSONNEL

Clete Hansen distributed a copy of the 1992, proposed federal legislation relating to private security training.

Discussion was held regarding whether there should be licensing of individuals to respond to low-level situations with no state-mandated training and a second level that has state-mandated training. An alternative would be to require everyone to have some basic training.

Mark Kirch reviewed some suggestions for basic entry-level requirements including a 90-day temporary permit for basic night watchman type work.

Clete Hansen stated that the 90-day temporary permit has been drafted and is moving forward.

A Committee member expressed disapproval of having a basic-level permit for only 90 days. He indicated that there are some individuals in the industry that do not intend to

advance and would not need further education. He suggested setting benchmarks for a basic-level of understanding and training and providing for advancement and recognition for that advancement.

Another Committee member indicated that the 90-day benchmark, on-the-job-training (OJT), is a good idea to get an individual started; however, there must be an incentive for an individual to progress in the industry, such as attending specific classes to promote to a higher level of rank and pay.

Another Committee member indicated support of state-mandated basic training with minimum knowledge, but disagreed with the state regulating higher-level training. He proposed that additional training requirements become the responsibility of individual agencies.

Clete Hansen asked who would provide the training, in-house or a third party, and who would approve the various levels, the individual agencies or the state. He also raised the issue of cost for different levels of certification, including firearms permits, and the level of enforcement that would be expected.

A member of the public, Gerd Hodermann, raised questions as to what other states require for training. He reported that Illinois requires 20 hours of training for certification to become licensed by the state. Mr. Hodermann recommended Committee members provide information on their individual agency orientation and that information could be used to establish criteria for entry level.

Byron Bishop informed the Committee that 14 states mandated training in 1998 and today that number has increased to only 16 states. He recommended some basic knowledge must be achieved before working in the industry and advancement should be the responsibility of the individual and the company that individual works for.

Secretary Cummings agreed with the idea of agencies being required to offer and monitor training, but was not in favor with the department monitoring and approving courses or regulating three different levels of security guards. She recommended self-inspection of the industry.

Secretary Cummings and Clete Hansen reviewed enforcement costs and the budget formula for renewal fees.

Matt Elliott reviewed the basic security course outline used by the Special Operations Detective Agency and indicated the desire for Special Operations to be certified by the Department of Justice to provide training to private security people.

Clete Hansen explained that an individual who wishes to be a firearms instructor under department regulations, must be certified as a National Rifle Association (NRA) firearms instructor or approved by the Training and Standards Bureau as a firearms instructor. Mr. Hansen explained that a third category was created in a rule proposal to include

people who have been trained by regional vocational/technical schools as firearms instructors because after January 1, 2001, the Training and Standards Bureau will no longer approve as firearms instructors, persons who do not provide firearms instruction to law enforcement officers. Mr. Hansen also commented on the recommendations that the required firearms course should include more Defense and Arrest Tactics training.

Clete Hansen informed the Committee that the Committee's recommendations on private security training would be included in the next Regulatory Digest with a request for written comments on those recommendations.

MOTION: Mark Kirch moved, seconded by Ed Byrne, to recommend that the Firearms Sub-Committee develop a revised firearms program to include the five steps of the force option continuum. Motion carried unanimously.

The Committee discussed minimum training and recommended that information be requested from other states that mandate private security training.

A recommendation was made that Committee members submit by email to Clete Hansen, their suggestions for basic private security training content. The person also questioned whether an individual would be required to have a minimum requirement before beginning the job.

MOTION: Ed Byrne moved, seconded by Jim Mankowski, that at the next meeting the Committee will develop a content list for required basic private security training, request that a rule be drafted to mandate such training, distinguish between those elements that must be received prior to assignment on a job and the remaining elements that must be received within the first 90 days of employment, and require the agency-employer to provide and certify the completion of the training. Motion carried unanimously.

LEGISLATIVE UPDATE

Concealed Weapons

MOTION: Mark Kirch moved, seconded by Jim Mankowski, that concealed weapon carry only be authorized for licensed private detectives, not for private security persons. Motion carried unanimously.

Clete Hansen referred to the revised conditions for carrying concealed weapons included in the agenda packet. He indicated that the Private Detective Advisory Committee eliminated the requirement that an applicant shall take the Minnesota Multiphasic Inventory and obtain a report from a Wisconsin-licensed psychologist.

A Committee member raised concern with the \$250 permit fee for a concealed weapon permit.

A suggestion was made that the initial concealed weapons permit be \$250, with a lessor amount for renewals; however, if the permit lapses, the cost would again be \$250.

Clete Hansen informed the Committee of Secretary Cummings' support of the recommended conditions for carrying concealed weapons.

Other Proposals Acted on at Previous Meetings

Clete Hansen reviewed past proposals of the Committee. He informed the Committee that the department is moving forward with the following legislation:

The Private Detective Advisory Committee's recommendation to separate private detective agencies and private security companies and require separate licenses.

The 90-day permit.

Requiring the agency to have an officer who has passed the exam

At the present time, the following issues are not in the drafting stage:

Permitting private security companies to provide security off of private property.

Changing the statute to define "directly" or "indirectly employed by a municipality."

Permit the Department to assess forfeitures.

Permit persons convicted of a felony to be licensed or to obtain a permit, if the conviction occurred more than 10 years before the date of application and the person is no longer on probation, on parole or in prison.

MISCELLANEOUS INFORMATION/CORRESPONDENCE

Byron Bishop informed the Committee that the FBI on-line capability to do NCIC name searches at no charge was a one-time test. Once it was accessed, it was deleted from computers and no longer available. It is still in the developing stages.

ADJOURNMENT

The meeting was informally adjourned at 12:00 p.m.